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WHITE & CASE

LIMITED LIABILITY PARTNERSHIP

1155 AVENUE OF THE AMERICAS  
NEW YORK, NEW YORK 10036-2787

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MEXICO CITY  
SAO PAULO

February 11, 1998

VIA FACSIMILE AND U.S. MAIL

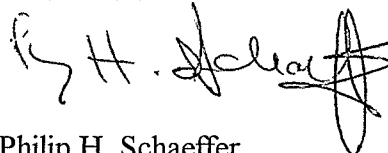
Gina Giuffreda, Esq.  
U.S. Copyright Office  
General Counsel  
Library of Congress  
Washington, D.C. 20059-6000

Dear Ms. Giuffreda:

Enclosed is a letter which we would appreciate your transmitting to the arbitrators in Docket No. 96-6 CARP NCBRA.

Thank you.

Very truly yours,



Philip H. Schaeffer

PHS:mlm

Enclosure

cc: Hughes, Hubbard & Reed, LLP  
(Attention of Norman C. Kleinberg, Esq. (By Fax))  
Weil, Gotshal & Manges, LLP  
(Attention of R. Bruce Rich, Esq.) (By Fax)  
Joan M. McGivern, Esq. (By Fax)  
Beverly Willett, Esq. (By Fax)

# WHITE & CASE

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February 11, 1998

The Honorable Lewis Hall Griffith  
The Honorable Jeffrey S. Gulin  
The Honorable Edward Dreyfus  
c/o Gina Giuffreda  
Copyright Arbitration Royalty Panel  
Library of Congress  
P.O. Box 70977  
Southwest Station  
Washington, D.C. 20024

Re: Noncommercial Educational Broadcasting Compulsory License  
Docket No. 96-6 CARP NCBRA

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Dear Judges Griffith, Dreyfus and Gulin:

This responds on behalf of ASCAP to Your Honors' telecopied message dated February 10, 1998 to counsel for the parties in the above CARP.

1. ASCAP proposes that the hearings be held in Manhattan on the following dates at which time it is presently anticipated that the following witnesses will testify on behalf of ASCAP:

February 26 (Thursday)

Rodgers

March 9 (Monday)

Reimer  
Lincoff  
Baumgarten

GENERAL COUNSEL  
OF COPYRIGHT

MAR 11 1998

RECEIVED

March 12 (Thursday)

Ledbetter  
Grajeda  
Anderson  
Schwind  
Saltzman

March 13 (Friday)

Day  
Unmacht  
Bergstein  
Bander  
Iosa

March 30 (Monday)

Boyle

2. White & Case occupies as a "Litigation Support Center" the 15<sup>th</sup> floor at 1120 Avenue of the Americas, across the street from 1155 Avenue of the Americas, which is White & Case's New York office (between 44<sup>th</sup> and 45<sup>th</sup> Streets). In addition to being a "stand alone facility" albeit with complete telephone and computer connections with the rest of White & Case, a moot court room is maintained at that floor. The moot courtroom is approximately 26 by 24 feet, seats 40 people, has a sound amplification system and is fixtured as would be a courtroom. It contains a bench and bar over nine feet long adequate for three persons acting as judges. In the immediate vicinity is a large multi-windowed work room equipped with a work table, desk, two telephones, a personal computer, etc. This room, 1518, would be available to the arbitrators or their invitees only. The door may be locked. Access to the building and the 15<sup>th</sup> floor, after hours, is only possible by means of card keys issued by the building management and White & Case. During business hours, access to the floor is controlled by a receptionist.

Across the street at White & Case's New York office is a full service cafeteria. Food orders can be delivered to the 15<sup>th</sup> floor as well. Coffee, soft drinks, etc. are also available at the 15<sup>th</sup> floor.

Secretarial help would be available in the immediate vicinity of Room 1518. White & Case would assign a secretary and legal assistant (neither having any connection with this matter or the litigation department) to help the arbitrators. The legal assistant would be available to the arbitrators throughout the day.

If appropriate, we would invite Ms. Giuffreda or another representative of the Copyright Office, to assist.

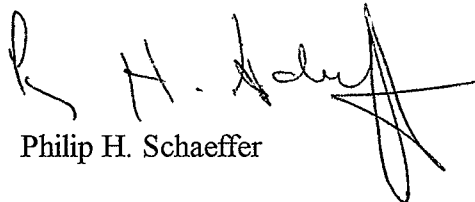
We suggest that a senior independent legal assistant be employed on a temporary basis, if the arbitrators think it necessary, for the purpose of assisting at the hearings. However, we believe the Court Reporters, Pirozzi & Hillman, who we suggest be retained, could perform those services. (Each was a former court reporter for many years in the federal court in Manhattan.)

3. Reservations have been made for each of the arbitrators at the Millenium Broadway, 145 West 44<sup>th</sup> Street, New York, NY 10036. The hotel is down the street from White & Case. Reservations have been made for the nights of February 25, March 8, 11, 12 and 29. The cost (after discount) is \$205 to \$255 per night for each room.

4. We assume that the arbitrators will have their materials stored in Room 1518, which as described above, will be locked and available solely to the arbitrators or their designees.

We hope that the foregoing adequately answers the inquiries contained in the February 10, 1998 communication. If the arbitrators have any preferences or needs we have not contemplated, or if they are not satisfied with our proposal, we are ready, willing and able to accommodate what the arbitrators would prefer.

Respectfully yours,



Philip H. Schaeffer

PHS:mlm

cc: Hughes, Hubbard & Reed, LLP  
(Attention of Norman C. Kleinberg, Esq.) (By Fax)  
Weil, Gotshal & Manges, LLP  
(Attention of R. Bruce Rich, Esq.) (By Fax)  
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